

Francis X Gordon

Discussion Point: Attorney Fredrick Petti states in his interview that the lesson that can be learned from Justice Gordon is that "good lawyers, good judges, good court staff turn square corners, and they turn them all the time."

- Describe how you think Justice Gordon "turned square corners" during the Mechem trial, and what you think this means today.

It is hard to imagine a proceeding more fraught with peril for inducing a constitutional crisis or a clash between the judiciary and the Senate than an impeachment trial, where the Chief Justice presides "over" the Senate.

- What do you think some of these "perils" were? And would be if a similar situation occurred today.

Justice Gordon showed his true genius before the Mechem impeachment trial by letting the senators know that they were the Court of Impeachment, and he was there only to preside and to make sure that the procedure was fair and impartial. By meeting with the Senate leadership and developing a working rapport with both parties, Justice Gordon was able to "imbed" his clerks into the drafting process in both caucuses, and guarantee that he had a voice, solely to make sure that whatever rules and procedures established were fair and impartial.

- Do you think such an "embedding" into both caucuses would be possible today?